1956 No. 1481

The Teachers Superannuation (Accepted Schools) Rules, 1956

Made - - - -	*20th September*, 1956
Laid before Parliament	*28th September*, 1956
Coming into Operation	*1st October*, 1956

The Minister of Education in exercise of his powers under Section 15 of the Teachers (Superannuation) Act, 1956(a), hereby makes the following rules:—

1. These rules may be cited as the Teachers Superannuation (Accepted Schools) Rules, 1956, and shall come into operation on the first day of October, 1956.

2. The Interpretation Act, 1889(b), shall apply for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

3.—(1) In these rules—

"appointed day" means the day appointed by Rule 4 of these rules;

"contributory service" means contributory service as defined in Section 1 of the Teachers (Superannuation) Act, 1945(c);

"school" includes any place of education;

"the Act of 1956" means the Teachers (Superannuation) Act, 1956;

"the Acts" means the Teachers (Superannuation) Acts, 1918 to 1946, as amended by the Act of 1956;

"the Scheme of 1948" means the Teachers Superannuation (Accepted Schools) Scheme, 1948(d), as amended by the Teachers Superannuation (Accepted Schools) Amending Scheme, 1954(e).

(2) The Minister may extend the time within which anything is required to be done under these rules if he considers that there are reasonable grounds for so doing.

Schools within Scheme of 1948

4.—(1) The Minister hereby appoints the first day of October, 1956, as the appointed day under sub-section (1) of Section 15 of the Act.

(2) From the appointed day the Acts shall, subject to the provisions of these rules, have effect as if contributory service included full-time service after that day as a teacher in a school which immediately before that day was an accepted school for the purposes of the Scheme of 1948.

(a) 4 & 5 Eliz. 2. c. 53. (b) 52 & 53 Vict. c. 63. (c) 8 & 9 Geo. 6. c. 14.
(d) S.I. 1948/1740 (Rev. VI, p. 439: 1948 I, p. 760). (e) S.I. 1954/1676 (1954 I, p. 757).

5. The service at a school of a teacher who was immediately before the appointed day excepted from the Scheme of 1948 shall not while he remains at that school be contributory service:

Provided that if he notifies the Minister in writing of his wish that his service should be contributory service it shall be contributory service from such date as the Minister shall fix, not being earlier than the appointed day.

6. The service at a school of a teacher who was immediately before the appointed day within the Scheme of 1948 shall while he remains at that school cease to be contributory service as from the appointed day if he notifies the Minister in writing before the first day of April, 1957, of his wish that his service shall not be contributory service.

7. Service before the appointed day which was contributory service under the Scheme of 1948 shall be treated as contributory service for the purposes of the Acts, except in relation to any annual allowance which began to accrue, or any additional allowance or gratuity which became payable, before the appointed day.

Other Schools

8.—(1) Any primary or secondary school, any establishment for further education, and any training college not forming part of a university or university college may be accepted by the Minister under Section 15 (2) of the Act of 1956, if such school is recognised as efficient by the Minister, and is not a school in which service as a teacher is contributory service for the purposes of the Acts.

(2) From the date of acceptance the Acts shall, subject to the provisions of these rules, have effect as if contributory service included full-time service after that date as a teacher in that school.

(3) The date of acceptance for any school shall, unless a later date is fixed by the Minister in relation to that school, be—

(*a*) in a case where application for the acceptance of the school is made before the 1st January, 1957, the appointed day;

(*b*) in any other case the first day of the term in which application is made for acceptance, for which purpose the term shall be deemed to be a period of four months beginning with the 1st January, 1st May, or 1st September as the case may be.

9. If a teacher who is employed in a school accepted under the preceding Rule at the date of acceptance notifies the Minister in writing within six months of that date that he does not wish his teaching service at that school to be contributory service, such service shall not be contributory service:

Provided that if he subsequently notifies the Minister in writing of his wish to have such service treated as contributory service the Minister may approve that it shall be so treated as from such date as the Minister shall fix.

General

10.—(1) No person who is for the time being the proprietor of a school conducted for private profit shall be regarded as in contributory service.

(2) The Minister may require any person who, by virtue of his position as director of a company or otherwise, is substantially in the position of proprietor of a school to be treated as the proprietor for the purpose of this rule.

11.—(1) The Minister may at any time direct that the provisions of Section 15 of the Act of 1956 and these rules shall cease to apply to a school in any of the following cases—

(*a*) on application by the governing body or proprietors;

(*b*) if the school is no longer recognised by the Minister as efficient;

(*c*) on failure to deduct the teachers' share of contributions from their salaries or to pay them and the employer's share of contributions to the Minister as required by the Acts and the rules thereunder.

(2) On such a direction being given in respect of any school, and at such date as may be specified therein, service in that school shall cease to be contributory service, but without prejudice to the subsequent acceptance of the school for the purposes of the said Section 15.

12. The amount of the balance of revenue over expenditure standing immediately before the appointed day to the credit of the account kept under Clause 11 of the Scheme of 1948 shall be treated as paid on the appointed day into the teachers' superannuation account kept under Section 15 of the Teachers (Superannuation) Act, 1925(a):

Provided that in arriving at such balance no sum by way of interest for the current accounting period shall be included.

Given under the official seal of the Minister of Education this 20th day of September, 1956.

(L.S.)

David Eccles
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

Under the provisions of Section 15 of the Teachers (Superannuation) Act, 1956, the service of teachers in schools within the Teachers Superannuation (Accepted Schools) Scheme, 1948, and in other independent schools which are accepted by the Minister under Section 15, is to be treated, subject to such conditions and exceptions as the Minister may specify, as contributory service under the Teachers (Superannuation) Acts. The above rules

(*a*) fix 1st October as the appointed day for the coming into operation of these provisions;

(*b*) specify the conditions and exceptions governing their operation; and

(*c*) provide for the transfer of the balance in the account kept under the Scheme of 1948, which will become spent on the appointed day, to the account kept under Section 15 of the Teachers (Superannuation) Act, 1925, but without calculating interest, since this will be included when the last-mentioned account is made up.

(a) 15 & 16 Geo. 5. c. 59.